

since the article taken in the dose recommended contained a harmful drug which could not be used with the utmost confidence. Misbranding was alleged for the further reason that the following statements appearing in the labeling were statements regarding the curative or therapeutic effects of the article and were false and fraudulent: (Wholesale carton) "Prompt Relief From Menstrual Pain For Relief From Menstrual Pain"; (retail tin) "For Prompt Relief of Menstrual Pain"; (leaflet) "A Specially Developed Formula. Gay, perfected over a period of years, and subjected to thousands of tests, bears unqualified endorsement and recommendation for relief in the treatment of menstrual pain due to normal causes. Gay contains no harmful drugs or narcotics—is non-habit forming—may be used with utmost confidence. Dose: One or two tablets taken with water. Repeat in one hour if necessary. (Note: Gay is not intended to cure menstrual disorders of long standing. Where the case is extremely stubborn or irregular, see your physician.) * * * is the modern way to relieve menstrual pain."

On December 31, 1936 and January 21, 1937, no claimant having appeared, judgments of condemnation were entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

26825. Adulteration and misbranding of Bol Lecznik Liniment. Misbranding of Musterdone, Universal Kidney, Liver and Stomach Tea, Universal Stomach Drops, Universal White Pine Cough Balsam, and Masc Zywokostowa Ucco Salve. U. S. v. 44 Packages of Musterdone, and other libel proceedings. Default decrees of condemnation and destruction. (F. & D. nos. 38770 to 38775, incl. Sample nos. 6670-C to 6675-C, incl.)

These drug preparations were misbranded because of false and fraudulent curative and therapeutic claims in the labeling. The Bol Lecznik Liniment was adulterated and misbranded further since it contained less chloroform and more alcohol than declared; no declaration of ether nor of chloroform was made on the bottle label, and the declaration on the carton was incorrect.

On December 11, 1936, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 44 packages of Musterdone, 48 packages of Universal Kidney, Liver and Stomach Tea, 30 bottles of Bol Lecznik Liniment, 30 packages of Universal Brand Stomach Drops, 68 packages of Universal Brand White Pine Cough Balsam, and 32 jars of Masc Zywokostowa Ucco Salve at New Orleans, La., alleging that the articles had been shipped in interstate commerce, on or about October 7 and October 13, 1936, by the Reliable Merchandise Co., from Chicago, Ill., and charging adulteration and misbranding of the Bol Lecznik Liniment, and misbranding of the remaining products in violation of the Food and Drugs Act as amended.

Analyses of samples of the articles showed that they consisted essentially of the following ingredients: (Musterdone) camphor, menthol, salicylic acid, wintergreen oil, and volatile mustard oil incorporated in petrolatum; (Universal Kidney, Liver and Stomach Tea) dried herbs and seeds including anise, lavender and senna; (Bol Lecznik Liniment) alcohol (60.8 percent), chloroform (4.6 minims per fluid ounce), ether, ammonia, capsicum, water, and volatile oils such as peppermint oil and mustard oil; (Universal Brand Stomach Drops) alcohol, water, glycerin, capsicum, a laxative plant drug, and peppermint oil; (Universal White Pine Cough Balsam) pine tar, salicylic acid, resinous material, alcohol, and water; and (Masc Zywokostowa Ucco Salve) menthol, camphor, eucalyptol, oil of wintergreen and salicylic acid incorporated in petrolatum.

The Bol Lecznik Liniment was alleged to be adulterated in that its strength fell below the professed standard or quality under which it was sold, namely, "alcohol 41% * * * chloroform 72 M. to 1 oz.", since the article did not contain 41 percent of alcohol but contained a greater amount and it did not contain 72 minims of chloroform in 1 ounce but did contain less than 72 minims of chloroform per ounce.

Misbranding was alleged with respect to the Bol Lecznik Liniment in that the package failed to bear on the label a statement of the quantity or proportion of alcohol, of ether, an alcohol derivative, and of chloroform contained therein, since the declaration of alcohol borne on the carton and label was incorrect, no declaration of ether nor of chloroform was made on the label, and the declaration of chloroform made on the carton was incorrect.

Misbranding was alleged with respect to all products for the reason that the following statements borne on the labeling, regarding the curative or

therapeutic effects of the article, were false and fraudulent: (Musterdone, jar label) "For Sore Throat, Tonsilitis, Stiff Neck, Neuralgia, Rheumatism, Congestion, * * * Sore Muscles, * * * Bronchitis, Croup, * * * Lumbago, * * * Pains and Aches of the Back and Joints, Colds in Chest. (It often prevents Pneumonia.) * * * In severe cases"; (carton) "For * * * aches and pains Musterdone will be found much more * * * effective. * * * For Sore Throat, Tonsilitis, Stiff Neck, Neuralgia, Rheumatism, Congestion, * * * Sore Muscles, * * * Bronchitis, Croup * * * Lumbago, * * * Pains and Aches of the Back or Joints. Colds in Chest. It often prevents Pneumonia. * * * In severe cases * * *"; (Universal Kidney, Liver and Stomach Tea) "Kidney, Liver and Stomach Tea A Harmless, Safe and Certain Remedy for * * * Dyspepsia, Nervous Debility, Liver and Kidney Complaints, Female Weaknesses, Painful and Suppressed Menstruation. Purifies The Blood And Ensures Perfect Health * * * Kidney, Liver And Stomach Tea * * * is nature's remedy for all afflictions of the Stomach, Liver and Kidneys. * * * is without a peer. It has a specific action on the Kidneys and Urinary Tract and exerts a decidedly beneficial effect in cleansing and stimulating the walls of the bladder. A Torpid Liver, with coated tongue, offensive breath, impaired digestion, and the general debilitated condition of the system which occurs when the liver does not perform its proper functions, will be corrected and remedied by the use of Universal Kidney, Liver and Stomach Tea. The Pride of A Woman * * * a good complexion. By the Use Of Universal Kidney, Liver and Stomach Tea that much sought for, and ever desired perfect complexion is attained. * * * Nature's Most Wonderful Remedy for Kidney, Liver and Stomach Troubles. Will surely relieve nervousness, headache, insomnia, indigestion, torpid liver and all diseases arising from disorders of the Stomach, Liver and Kidneys"; (Bol Lecznik Liniment, bottle label, in English) "Rub the painful spots", (carton, in English) "Indicated in the Treatment of Muscular Rheumatism, Stiff Neck, Pains In The Sides, Chest And Back, * * * Nasal Catarrh, Grippe, Neuralgia, Sore Throat, Coughs", (bottle label and carton, in Polish) "Bol Lecznik (Pain Medicine)"; (Universal Brand Stomach Drops, bottle label, English) "Stomach Drops These drops are intended for the treatment of Stomach And Bowel derangements such as Cramps commonly called Stomachache, Dysentery, Diarrhea, Colicky Pains in indigestion and weak stomach. $\frac{1}{4}$ teaspoonful in water, taken before meals, stimulates the stomach and digestive organs, thereby * * * aiding digestion. * * * They are safe for children in summer complaint. Dose: In cases of pain, colic, cramps or distress in stomach, take $\frac{1}{2}$ to 1 teaspoonful every hour in a little warm or cold water, sweetened if preferred, until relieved. In diarrhea or dysentery take every 2 to 3 hours. * * * In severe cases take oftener, also rub the stomach externally with the drops", (carton, in English) "Stomach Drops * * * These drops have a wonderful healing power, they will relieve all Stomach and Bowel Complaints", (carton, in Polish) "Stomach Drops. Stomach drops possess an amazing medicinal power—such as repairing by means of proven extracts * * * thus those ailing who seek it become convinced that it is the eventual remedy against diseases and ailments of all kinds, such as; cholera morbus, stomachache, colic, indigestion, backache, the one and only remedy for children's diseases, sore throat, pain in the chest, asthma, and generally for any diseases. Every sufferer can convince himself of the truth of the effects of California Stomach Drops, using from 5 to 15, or even (as little as) half a coffee spoonful, according to the age of the sick person", (carton, in Bohemian) "Stomach Drops. These stomach drops have surprising medicinal power," (carton, in German) "Stomach Drops. These drops have a wonderful healing power. * * * Everyone is advised to convince himself of their powerful action"; (Universal Brand White Pine Cough Balsam, bottle label) "Cough Balsam * * * An Effective Remedy for Coughs, * * * Hoarseness, Sore Throat, Bronchitis and Other Affections of the Throat and Lungs. * * * One Teaspoonful every 2 or 3 hours until relieved", (carton) "Cough Balsam * * * An Effective Remedy for Coughs, * * * Hoarseness, Sore Throat, Bronchitis And Other Affections of the Throat and Lungs", (Masc Zywokestowa Ucco Salve, jar label, in English) "Sore Throat, Tonsilitis, Stiff Neck, Neuralgia, Rheumatism, Congestion, * * * Sore Muscles, * * * Bronchitis, Croup, * * * Lumbago, * * * Pains and Aches of the Back or Joints, Colds in Chest. It often prevents Pneumonia", (jar label, in Polish) "* * * proven remedy for * * * swellings, rheumatism, lumbago, stiff neck."

On January 6, 1937, no claimant having appeared, judgments of condemnation were entered and it was ordered that the products be destroyed.

W. R. GREGG, Acting Secretary of Agriculture.